

# **EXHIBIT 17**

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable James Donato, Judge

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION	)	NO. 21-md-02981-JD
_____		)
THIS DOCUMENT RELATES TO:	)	)
Epic Games, Inc. vs. Google LLC, et al., Case No. 3:20-cv-05671-JD		)
In Re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD		)
State of Utah, et al. v. Google LLC, et al., Case No. 3:21-cv-05227-JD		)
Match Group, LLC, et al. vs. Google LLC, et al., Case No. 3:22-cv-02746-JD		)
_____		)

San Francisco, California  
Thursday, September 7, 2023

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff Epic Games in 20-cv-05671 JD:

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New York, New York 10019  
**BY: GARY A. BORNSTEIN, ATTORNEY AT LAW**  
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(APPEARANCES CONTINUED ON FOLLOWING PAGE)

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CSR No. 7445, Official United States Reporter

1 you want. But I can't see that until it's final, nor should I  
2 see it. And I don't know about the dynamic. There may be  
3 reasons why the states and the consumers and Google don't want  
4 to do that.

5                 But clearly, the door has opened, if even only a hair.  
6 So you should just do that. All right? So two weeks, that's  
7 the goal.

8                 Okay. Anything else for today?

9                 Mr. Pomerantz?

10                **MR. POMERANTZ:** I don't think so, Your Honor.

11                **THE COURT:** All right. Plaintiffs?

12                **MR. BORNSTEIN:** Yes, Your Honor. We had an issue  
13 around the chat sanctions.

14                **THE COURT:** Oh, yes, the chats. Well, discovery is  
15 closed now; right?

16                **MR. BORNSTEIN:** Correct, Your Honor.

17                **THE COURT:** Okay. So tell me what you think you're  
18 missing. I think that's how I left it. I just want to get  
19 some sense of -- now, I know I said in the order -- and it's  
20 certainly true now -- you can't talk about things you don't  
21 know about. But you should be able to give me at least some  
22 informed sense of things that you expected to have seen or you  
23 thought you would have seen or you saw a little bit of, or  
24 whatever, and you think the chat issue impacted that in a  
25 negative way.

**THE COURT:** Okay.

**MR. POMERANTZ:** That's fine, Your Honor.

3                   **THE COURT:** Okay. Thanks very much, and I'll see you  
4 on October 12th.

**THE CLERK:** All rise. Court's in recess.

(Proceedings adjourned at 11:58 a.m.)

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## **CERTIFICATE OF REPORTER**

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

DATE: Friday, September 8, 2023

Ana Dub

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